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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,987	10/13/2000	Ed Vertaschitsch	24530.00900	1061

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EXAMINER

BAYERL, RAYMOND J

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 02/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/687,987

Applicant(s)

VERTASCHITSCH ET AL.

Examiner

Raymond J. Bayerl

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3, 9, 13, 16 and 20 is/are allowed.
- 6) ☒ Claim(s) 1 - 2, 4 - 8, 10 - 12, 14 - 15, 17 - 19, 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1 – 2, 4 – 8, 10 – 12, 14 – 15, 17 – 19, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen (“Nguyen”; US #5,797,089) in view of Pardo (“Pardo”; US #6,266,539 B1) and Rahamim et al. (“Rahamim”; US #6,657,101 B2).

As per the “first processor configured to run user applications” that is linked via a “communications link” to “a baseband processor...configured to control operations of” “a telephone device” (independent claims 1, 14), please note the structure of Nguyen’s PERSONAL COMMUNICATIONS TERMINAL: a functional unit 31 connects via a mobile data interface 34 to telephone unit 32 (col 4, lines 27 – 42). The telephone unit 32 interfaces with a transmit subsystem (col 5, lines 24 – 37).

While Nguyen does not enter into **explicit** details about the operations supported by the telephone unit, such as to “display current telephone operations information” or to run a “telephone device control program” (independent claim 11), Pardo, in DOCKING a TELEPHONE to a PERSONAL DIGITAL ASSISTANT has a connection to the PDA that uses various modem protocols (col 6, lines 11 – 50). The Telephony Screens can include Dialing Status (col 7, line 48 – col 8, line 40; figs 4 – 5).

It would have been obvious to a person having ordinary skill in the art at the time of applicant’s invention to use a telephone unit in Nguyen that has the autonomous processing capability of Pardo’s telephone arrangement, because of the added

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capability in observing and controlling telephony functions that this would provide to the user.

Applicant's 23 January 2004 response amends each of independent claims 1, 11, 14 such that (as in exemplary claim 1) "the communications link comprises an isolation link configured to isolate the first processor from the second processor and protect the second processor from spurious commands originating from the first processor". While the Nguyen/Pardo combination does not **explicitly** teach this "isolation", isolation circuits had long been used between data processing and telephony processing units, as described by Rahamim's DATA ACCESS ARRANGEMENT UTILIZING A SERIALIZED DIGITAL DATA PATH ACROSS AN ISOLATION BARRIER. In Rahamim, the line side circuitry and the system side circuitry are separated by a high voltage isolation barrier (Abstract; fig 1).

Thus, it would have been further obvious to the person having ordinary skill in the art to provide "isolation" as per the signal interface of Rahamim in the Nguyen/Pardo combination, so that signal irregularities do not result in deleterious indications from reaching the "second processor".

The "AT Command interface" of claims 2, 15 is found in Pardo's use of a serial port that runs a protocol such as AT+V through the modem (col 6, lines 42 – 46; col 7, lines 49 – 67). A "parallel interface" (as in claims 4, 17), when this phrase is given a reasonably broad interpretation, is sufficiently read upon by the bus-oriented connections shown in Nguyen's fig 3.

Claim 5's "baseband processor" details, in which "data" is "communicated across the communications link", to "control operations of said telephone device" (see also claim 18), reads upon Nguyen's telephone unit 32, as noted above with respect to claim 1. The "data identifying any of..." in claims 6, 19 further reads upon telephone control information that will pass to such a unit.

Claim 7's "identifying current conditions of said telephone device" is a part of Pardo, as also explained above with respect to claim 1 (see also claim 12), and the "current conditions" options in claim 8 will encompass the types of Status that Pardo returns to the PDA.

The connection of a "PDA" to a "cellular radio integrated within said PDA" (claims 10, 21) is suggested by the combination of a PDA with a radio transmitter-based telephone unit in Nguyen (col 5, lines 9 – 37).

3. Claims 3, 9, 13, 16, 20 are allowable over the prior art made of record, for the reasons stated in paragraph 6 of the previous Office Action (paper #4, mailed 17 July 2003). They have been rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Applicant's arguments with respect to independent claims 1, 11, 14, and those claims depending therefrom, have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

6. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J. Bayerl whose telephone number is (703) 305-9789. The examiner can normally be reached on M - F from 9:30 AM to 4:30 PM.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239 for Official submissions, (703) 746-7238 for filings after final rejection and (703) 746-7240 for non-official communications.

9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173

2 February 2004